

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: Kelvin Alvin Lashley**

**Debtor**

**The Bank of New York Mellon, formerly known as  
The Bank of New York, not in its individual capacity  
but solely as Trustee on behalf of the holders of the  
CIT Mortgage Loan Trust, 2007-1 Asset-Backed  
Certificates, Series 2007-1**

**Movant**

**vs.**

**Kelvin Alvin Lashley  
Kenneth E. West, Trustee**

**Respondents**

**BK NO. 24-10595 AMC**

**Chapter 13**

**Hearing Date: 06/20/24**

**OBJECTION OF THE BANK OF NEW YORK MELLON, FORMERLY KNOWN AS THE  
BANK OF NEW YORK, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS TRUSTEE  
ON BEHALF OF THE HOLDERS OF THE CIT MORTGAGE LOAN TRUST, 2007-1 ASSET-  
BACKED CERTIFICATES, SERIES 2007-1 TO CONFIRMATION OF CHAPTER 13 PLAN**

The Bank of New York Mellon, formerly known as The Bank of New York, not in its individual capacity but solely as Trustee on behalf of the holders of the CIT Mortgage Loan Trust, 2007-1 Asset-Backed Certificates, Series 2007-1 (hereinafter Secured Creditor), objects to confirmation of Debtor's Chapter 13 plan and asserts in support of its Objection as follows:

1. The claims bar date is May 3, 2024. Secured Creditor intends to file a claim on or before the bar date with pre-petition arrears estimated at \$170,352.26.
2. Debtor's Plan provides for payment in the amount of \$100,000.00 towards the arrearage claim of the Secured Creditor.
3. Debtor's Plan understates the amount of the Secured Creditor's claim by \$170,352.26 and does not provide sufficient funding to pay said claim.
4. Accordingly, Debtor's Plan is not feasible, as it does not fully compensate the Secured Creditor.
5. In addition, the Debtor's Plan fails to comply with 11 U.S.C. §§ 1322 and 1325.

WHEREFORE, the Secured Creditor, The Bank of New York Mellon, formerly known as The Bank of New York, not in its individual capacity but solely as Trustee on behalf of the holders of the CIT Mortgage Loan Trust, 2007-1 Asset-Backed Certificates, Series 2007-1, prays that the Court deny confirmation of the Debtor's Plan.

Date: April 18, 2024

Respectfully submitted,

By: **/s/Denise Carlon**

Denise Carlon, Esquire  
KML Law Group, P.C.  
701 Market Street, Suite 5000  
Philadelphia, PA 19106  
215-627-1322  
Attorney for Movant/Applicant